

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF HAWAII**

SYNAGRO TECHNOLOGIES, INC.,

Plaintiff,

vs.

GMP HAWAII, INC.,

Defendant.

CIVIL NO. CV04-00509 SPK LEK

**DECLARATION OF MALIA S. LEE**

**DECLARATION OF MALIA S. LEE**

I, MALIA S. LEE, do hereby declare that,

1. I am an attorney licensed to practice law in the above-entitled court;
2. I am an attorney with the law firm of Case Lombardi & Pettit, attorneys for Defendant GMP Hawaii, Inc. ("GMP") in this action;
3. I make this Declaration upon personal knowledge and am competent to testify to the matters set forth herein, and submit this Declaration in support of Defendant's Motion to Modify Report of Special Master on Plaintiff's Amended Motion for Attorneys' Fees and Related Non-Taxable Expenses;
4. Attached hereto as Exhibit "1" is a true and correct copy of the Declaration of Wagdy A. Guirguis, dated June 23, 2006 (submitted with GMP's Memorandum in Opposition to Synagro Technologies, Inc.'s Amended Motion for

Attorneys' Fees and Related Non-Taxable Expenses), filed herein on June 23, 2006;

5. Attached hereto as Exhibit "2" is a true and correct copy of GMP's Counterclaim Against Plaintiff Synagro Technologies, Inc., filed herein on September 2, 2004.

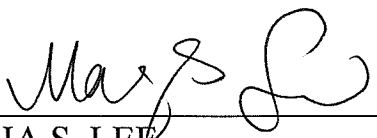
6. Attached hereto as Exhibit "3" are true and correct copies of the Transcript of the September 19, 2005 Deposition of Wagdy A. Guirguis at pages 145-154, Exhibit "3" to the Melnyk Depo. (referenced in the Guirguis Depo.), and GMP document # 0186 (referenced in the Guirguis Depo.);

7. Attached hereto as Exhibit "4" are true and correct copies of the Transcript of the October 5, 2005 Continued Deposition of Peter Melnyk at pages 174-183, and Exhibit "3" thereto; and

8. Attached hereto as Exhibit "5" is a true and correct copy of the July 26, 2002 email from Safwat Gergis (of GMP) to John Hecht (of Synagro) (previously marked as Exhibit R to Synagro's Renewed and Supplemented Motion for Summary Judgment, filed herein on September 15, 2006).

I, MALIA S. LEE, do declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

Dated: Honolulu, Hawai'i, FEB 02 2007.

  
MALIA S. LEE